

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JOHN WAYNE PRIMEAUX,Jr., §
Petitioner, §
VS. § CIVIL ACTION NO.4:06-CV-431-Y
§
NATHANIEL QUARTERMAN, Director, §
T.D.C.J., Correctional §
Institutions Division, §
Respondent. §

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2254 of petitioner John Wayne Primeaux Jr., along with the August 24, 2006, findings, conclusions, and recommendation of the United States magistrate judge. The magistrate judge gave the parties until September 14, 2006, to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.

The Court has reviewed the pleadings and the record in this case, and has reviewed for clear error the proposed findings, conclusions and recommendation of the United States magistrate judge filed on August 24, 2006. The Court concludes that the petition for writ of habeas corpus should be dismissed in part, and denied in part, for the reasons stated in the magistrate judge's findings and conclusions.

Therefore, the findings, conclusions and recommendation of the magistrate judge are hereby ADOPTED.

Petitioner's claims challenging the denial of mandatory supervision release by the Texas Board of Pardons and Paroles on June 24, 2002, June 28, 2004, and May 6, 2005, are DISMISSED WITH

PREJUDICE; and Petitioner's remaining claim challenging the April 4, 2006, denial of mandatory supervision is DENIED.

SIGNED September 21, 2006.


TERRY R. MEANS
UNITED STATES DISTRICT JUDGE